

AMENDED IN SENATE JANUARY 14, 2002

AMENDED IN ASSEMBLY MAY 31, 2001

AMENDED IN ASSEMBLY MAY 9, 2001

AMENDED IN ASSEMBLY APRIL 30, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1531**

**Introduced by Assembly Member Kehoe**

February 23, 2001

---

---

~~An act relating to school instruction, making an appropriation therefor.~~ *An act to amend, repeal, and add Section 1785.10 of the Civil Code, relating to consumer credit, and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1531, as amended, Kehoe. ~~Education~~ *Consumer credit.*

*Existing law requires a consumer credit reporting agency, upon consumer request, to allow consumer inspection of its files regarding that consumer.*

*Existing law requires those files to include the telephone numbers of a source of information included in the report, of a recipient of a consumer credit report of the consumer, and of others making certain inquiries of the credit report of the consumer, if provided.*

*This bill instead would suspend those requirements regarding the disclosure of those telephone numbers until January 1, 2003.*

*The will would make other conforming changes.*

*The bill would declare that it is to take effect immediately as an urgency statute.*

~~Existing law authorizes the governing board of any school district or a county superintendent of schools to conduct an outdoor science education and conservation education program or class. Existing law establishes eligibility criteria for a residential outdoor science program and requires the Superintendent of Public Instruction to apportion, subject to appropriation of funds for that purpose, to each school district or county office of education that operates a residential program, an amount of \$10 per eligible participating pupil per day of participation.~~

~~This bill would appropriate \$1,000,000 from the General Fund to the Superintendent of Public Instruction for allocation to school districts and county offices of education that meet the eligibility criteria for a residential outdoor science program, for the purpose of implementing programs that study energy and resource conservation and ways that pupils can positively impact energy use and resource conservation in their homes and communities. The bill would require funding provided by that appropriation to be reviewed and evaluated by the State Department of Education over a 5-year period. The bill would require the department to gather statistical information that assesses the effectiveness of the program, and to report to the Legislature and the Governor by no later than January 1, 2007, whether it recommends additional funding for this purpose.~~

~~The funds appropriated by this bill would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.~~

Vote: ~~majority~~ <sup>2/3</sup>. Appropriation: ~~yes~~ *no*. Fiscal committee: ~~yes~~ *no*. State-mandated local program: *no*.

*The people of the State of California do enact as follows:*

- 1     ~~SECTION 1. — (a) The Legislature finds and declares, as~~
- 2     ~~SECTION 1. Section 1785.10 of the Civil Code is amended to~~
- 3     ~~read:~~
- 4     1785.10. (a) Every consumer credit reporting agency shall,
- 5     upon request and proper identification of any consumer, allow the
- 6     consumer to visually inspect all files maintained regarding that
- 7     consumer at the time of the request.

(b) Every consumer reporting agency, upon contact by a consumer by telephone, mail, or in person regarding information which may be contained in the agency files regarding that consumer, shall promptly advise the consumer of his or her rights under Sections 1785.11.8, 1785.19, and 1785.19.5, and of the obligation of the agency to provide disclosure of the files in person, by mail, or by telephone pursuant to Section 1785.15, including the obligation of the agency to provide a decoded written version of the file or a written copy of the file with an explanation of any code, including any credit score used, and the key factors, as defined in Section 1785.15.1, if the consumer so requests that copy. The disclosure shall be provided in the manner selected by the consumer, chosen from among any reasonable means available to the consumer credit reporting agency.

The agency shall determine the applicability of subdivision (1) of Section 1785.17 and, where applicable, the agency shall inform the consumer of the rights under that section.

(c) All information on a consumer in the files of a consumer credit reporting agency at the time of a request for inspection under subdivision (a), shall be available for inspection, including the names, addresses and, if provided by the sources of information, the telephone numbers identified for customer service for and addresses of the sources of information.

(d) (1) The consumer credit reporting agency shall also disclose the recipients of any consumer credit report on the consumer which the consumer credit reporting agency has furnished:

(A) For employment purposes within the two-year period preceding the request.

(B) For any other purpose within the 12-month period preceding the request.

(2) Disclosure of recipients of consumer credit reports for purposes of this subdivision shall include the name of the recipient or, if applicable, the fictitious business name under which the recipient does business disclosed in full. *If requested by the consumer, the* identification shall also include the address and, if provided by the recipient, the telephone number identified for customer service for of the recipient.

(e) The consumer credit reporting agency shall also disclose a record of all inquiries received by the agency in the 12-month

1 period preceding the request that identified the consumer in  
2 connection with a credit transaction which is not initiated by the  
3 consumer. This record of inquiries shall include the name, address  
4 and, if provided by the recipient, the telephone number identified  
5 for customer service for of each recipient making an inquiry.

6 ~~(f) Any consumer credit reporting agency when it is subject to~~  
7 ~~the provisions of Section 1785.22 is exempted from the~~  
8 ~~requirements of subdivisions (c), (d), and (e), only with regard to~~  
9 ~~the provision of the address and telephone number.~~

10 ~~(g) Any consumer credit reporting agency, that provides a~~  
11 ~~consumer credit report to another consumer credit reporting~~  
12 ~~agency that procures the consumer credit report for the purpose of~~  
13 ~~resale and is subject to Section 1785.22, is exempted from the~~  
14 ~~requirements of subdivisions (d) and (e), only with regard to the~~  
15 ~~provision of the address and telephone number regarding each~~  
16 ~~prospective user to which the consumer credit report was sold.~~

17 *(f) This section shall remain in effect only until January 1,*  
18 *2003, and as of that date is repealed, unless a later enacted statute,*  
19 *that is enacted before January 1, 2003, deletes or extends that date.*

20 *SEC. 2. Section 1785.10 is added to the Civil Code, to read:*

21 *1785.10. (a) Every consumer credit reporting agency shall,*  
22 *upon request and proper identification of any consumer, allow the*  
23 *consumer to visually inspect all files maintained regarding that*  
24 *consumer at the time of the request.*

25 *(b) Every consumer reporting agency, upon contact by a*  
26 *consumer by telephone, mail, or in person regarding information*  
27 *which may be contained in the agency files regarding that*  
28 *consumer, shall promptly advise the consumer of his or her rights*  
29 *under Sections 1785.11.8, 1785.19, and 1785.19.5, and of the*  
30 *obligation of the agency to provide disclosure of the files in person,*  
31 *by mail, or by telephone pursuant to Section 1785.15, including*  
32 *the obligation of the agency to provide a decoded written version*  
33 *of the file or a written copy of the file with an explanation of any*  
34 *code, including any credit score used, and the key factors, as*  
35 *defined in Section 1785.15.1, if the consumer so requests that copy.*  
36 *The disclosure shall be provided in the manner selected by the*  
37 *consumer, chosen from among any reasonable means available to*  
38 *the consumer credit reporting agency.*

1     *The agency shall determine the applicability of subdivision (1)*  
2 *of Section 1785.17 and, where applicable, the agency shall inform*  
3 *the consumer of the rights under that section.*

4     *(c) All information on a consumer in the files of a consumer*  
5 *credit reporting agency at the time of a request for inspection under*  
6 *subdivision (a), shall be available for inspection, including the*  
7 *names, addresses and, if provided by the sources of information,*  
8 *the telephone numbers identified for customer service for the*  
9 *sources of information.*

10    *(d) (1) The consumer credit reporting agency shall also*  
11 *disclose the recipients of any consumer credit report on the*  
12 *consumer which the consumer credit reporting agency has*  
13 *furnished:*

14     *(A) For employment purposes within the two-year period*  
15 *preceding the request.*

16     *(B) For any other purpose within the 12-month period*  
17 *preceding the request.*

18    *(2) Disclosure of recipients of consumer credit reports for*  
19 *purposes of this subdivision shall include the name of the recipient*  
20 *or, if applicable, the fictitious business name under which the*  
21 *recipient does business disclosed in full. The identification shall*  
22 *also include the address and, if provided by the recipient, the*  
23 *telephone number identified for customer service for the recipient.*

24    *(e) The consumer credit reporting agency shall also disclose a*  
25 *record of all inquiries received by the agency in the 12-month*  
26 *period preceding the request that identified the consumer in*  
27 *connection with a credit transaction which is not initiated by the*  
28 *consumer. This record of inquiries shall include the name, address*  
29 *and, if provided by the recipient, the telephone number identified*  
30 *for customer service for each recipient making an inquiry.*

31    *(f) Any consumer credit reporting agency when it is subject to*  
32 *the provisions of Section 1785.22 is exempted from the*  
33 *requirements of subdivisions (c), (d), and (e), only with regard to*  
34 *the provision of the address and telephone number.*

35    *(g) Any consumer credit reporting agency, that provides a*  
36 *consumer credit report to another consumer credit reporting*  
37 *agency that procures the consumer credit report for the purpose of*  
38 *resale and is subject to Section 1785.22, is exempted from the*  
39 *requirements of subdivisions (d) and (e), only with regard to the*

1 provision of the address and telephone number regarding each  
2 prospective user to which the consumer credit report was sold.

3 (h) This section shall become operative on January 1, 2003.

4 SEC. 3. This act is an urgency statute necessary for the  
5 immediate preservation of the public peace, health, or safety  
6 within the meaning of Article IV of the Constitution and shall go  
7 into immediate effect. The facts constituting the necessity are:

8 In order to preserve and clarify the delayed operative date of  
9 January 1, 2003, set forth in Section 3 of Chapter 236 of the  
10 Statutes of 2001 with respect to the amendments to Section 1785.10  
11 of the Civil Code made by Section 1.5 of Chapter 354 of the  
12 Statutes of 2001, which incorporate the changes to that section  
13 made by Chapter 236 of the Statutes of 2001, and to coordinate  
14 those changes with the other changes to the Civil Code made by  
15 Chapter 236 of the Statutes of 2001 which will become operative  
16 on January 1, 2003, it is necessary that this bill take effect  
17 immediately.

18 follows:

19 ~~(1) Children need to experience nature firsthand to learn about~~  
20 ~~the environment so that they can have a positive impact on the~~  
21 ~~natural world.~~

22 ~~(2) Children can learn early in life that energy and water~~  
23 ~~conservation is possible and that conservation can have a positive~~  
24 ~~impact on the world.~~

25 ~~(b) It is the intent of the Legislature to achieve the following~~  
26 ~~goals:~~

27 ~~(1) To make outdoor education a part of a pupil's school~~  
28 ~~experience.~~

29 ~~(2) To provide economically disadvantaged children with~~  
30 ~~equal access to outdoor science programs.~~

31 ~~(c) The sum of one million dollars (\$1,000,000) is hereby~~  
32 ~~appropriated from the General Fund to the Superintendent of~~  
33 ~~Public Instruction, for allocation to school districts and county~~  
34 ~~offices of education that meet the eligibility criteria for a~~  
35 ~~residential outdoor science program established by Section 1 of~~  
36 ~~Chapter 958 of the Statutes of 1999 for the purpose of~~  
37 ~~implementing programs that study energy and resource~~  
38 ~~conservation and ways that pupils can positively impact energy use~~  
39 ~~and resource conservation in their homes and communities. These~~  
40 ~~programs may include, but are not limited to, formal instruction;~~

1 ~~including energy and resource conservation and renewable energy~~  
2 ~~resource education, and followup lessons to be utilized in the home~~  
3 ~~and classroom.~~  
4 ~~(d) Funding provided by the appropriation made by~~  
5 ~~subdivision (c) shall be reviewed and evaluated by the State~~  
6 ~~Department of Education over a five-year period. The department~~  
7 ~~shall gather statistical information that assesses the effectiveness~~  
8 ~~of the program, and shall report to the Legislature and the~~  
9 ~~Governor by no later than January 1, 2007, on whether it~~  
10 ~~recommends additional funding for this purpose.~~

